

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>AUTHORIZATION WALLET, LLC</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 6:21-cv-01120</b>
<b>v.</b>	)	
	)	
<b>NORDSTROM, INC.</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Defendant.</b>	)	

**PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT  
INFRINGEMENT**

Authorization Wallet, LLC (“Wallet”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 9,292,852 (“the ‘852 patent”) (referred to as the “Patent-in-Suit”) by Nordstrom, Inc., (“Nordstrom”).

**I. THE PARTIES**

1. Plaintiff Wallet is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, Nordstrom is a corporation existing under the laws of the State of Washington, with a principal place of business located at 2901 S Capital of Texas Hwy, Austin, Texas 78746. On information and belief, Nordstrom sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold

in Texas and this judicial district. Nordstrom may be served through their registered agent Corporate Creations Network Inc., 5444 Westheimer #1000, Houston, TX 77056.

## **II. JURISDICTION AND VENUE**

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271, et. seq.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

## **III. INFRINGEMENT**

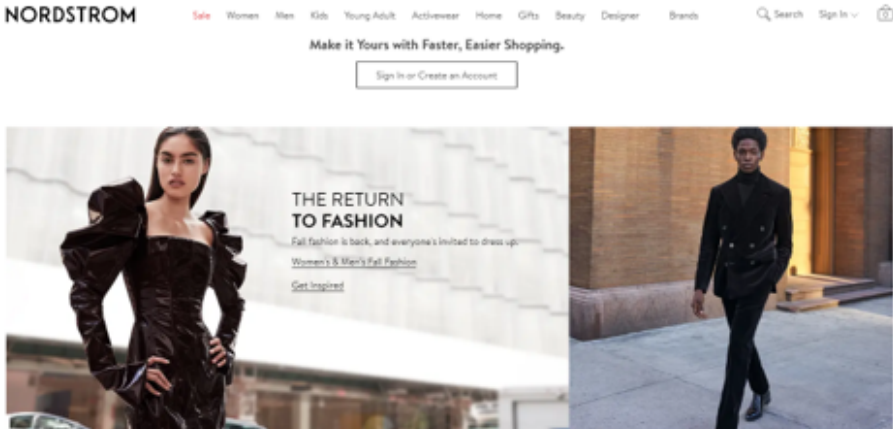
### **A. Infringement of the '852 Patent**

6. On March 22, 2016, U.S. Patent No. 9,292,852 (“the ‘852 patent”, attached as Exhibit A) entitled “System And Method For Applying Stored Value To A Financial Transcation” was duly and legally issued by the U.S. Patent and Trademark Office. Authorization Wallet owns the ‘852 patent by assignment.

7. The ‘852 patent relates to novel and improved methods and systems for processing financial transaction data.

8. Nordstrom maintains, operates, and administers online platforms, products and services that facilitate financial transaction data processing that infringes one or more claims of the ‘852 patent, including one or more of claims 1-40, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ‘852 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

Claim	Analysis
<p>[1.1] A computer-implemented method for processing financial transaction data in a computing system including a processor and a storage area, the method comprising:</p>	<p>To the extent the preamble is limiting, Nordstrom Inc. performs and induces others to perform a computer-implemented method for processing financial transaction data in a computing system including a processor and a storage area.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Nordstrom Inc. provides stores and online shopping platforms (Nordstrom.com and Nordstrom mobile application) that allow its users to buy products (“processing financial transaction data”) such as clothes. Nordstrom utilizes servers (“computing system”) that comprise storage areas (such as memory systems) to serve customers’ purchase requests.</p>  <p>Source: <a href="https://www.nordstrom.com/">https://www.nordstrom.com/</a></p>



	<p>App Store Preview</p> <p><b>Nordstrom</b>  Clothing, Shoes &amp; Handbags Nordstrom, Inc. #108 in Shopping 4.5 • 620.7K Ratings Free</p> <p>Screenshots <a href="#">iPhone</a> <a href="#">iPad</a></p>  <p>Source: <a href="https://apps.apple.com/us/app/nordstrom/id474349412">https://apps.apple.com/us/app/nordstrom/id474349412</a></p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.2] receiving an authorization request generated as a result of a transaction by a purchaser at a point of purchase via an acquirer configured to receive authorization requests from a plurality of points of purchase, wherein the authorization request includes a purchaser identifier and transaction information, the transaction information including a transaction amount, and wherein the</p>	<p>Nordstrom Inc. performs and induces others to perform the step of receiving an authorization request generated as a result of a transaction by a purchaser at a point of purchase via an acquirer configured to receive authorization requests from a plurality of points of purchase, wherein the authorization request includes a purchaser identifier and transaction information, the transaction information including a transaction amount, and wherein the purchaser identifier identifies the purchaser that initiated the transaction.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when a user purchases items (such as clothes) ("transaction by a purchaser") from the Nordstrom stores and/or online platforms ("point of purchase"), an authorization request is sent to an acquirer (such as a bank or a payment gateway). The authorization request comprises a user identification ("purchaser identifier") including but not limited to contact number (Nordy Club membership number), Nordstrom card, and/or email address and transaction information including but not limited to total transaction amount and/or the items being purchased.</p>

purchaser identifier  
identifies the  
purchaser that  
initiated the  
transaction;

Do I have to give my mobile number and my email?

Yes, your mobile phone number is your Nordy Club member number and must be provided at Checkout in order to earn points on qualifying purchases. Because we use your mobile number and email address to identify you as a member and to notify you of your Nordy Club benefits, you must make sure that both are up to date at all times. We also may send you a text message at the mobile number you provide to verify the number.

Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-nordstrom-credit-card>

How do I "self-identify" as a Nordy Club member?

We need to know that you are a Nordy Club member when you make a purchase to award your points or apply your Nordstrom Notes. If you are not using your Nordstrom card for the purchase, you must self-identify at Checkout. Generally, your mobile number is your Nordy Club member number. If you are not sure, call us at 1.888.282.6060.

**In stores at Nordstrom, Nordstrom Rack and Nordstrom Local:** Make sure you always tell your salesperson that you are a Nordy Club member and give them the number (usually your mobile number) that is linked to your Nordy Club account.

**Online at Nordstrom and Nordstrom Trunk Club:** If you check out on Nordstrom.com or Trunkclub.com, make sure that your Nordy Club account is linked to your online shopping account. **NOTE:** In order for your Nordstrom.com or Trunkclub.com accounts and your Nordy Club account to link up properly, they must be set up with the same mobile phone number.

**Online at Nordstrom Rack:** If you check out on Nordstromrack.com, make sure that you enter your mobile number in The Nordy Club box. **NOTE:** There may be other places online asking you to enter your mobile number. If you enter your mobile number in a different location other than the one requesting your Nordy Club number, you will not be awarded your rewards.

Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-nordstrom-credit-card>



**john's Account**  
Hey, Nordy Club Member!



Purchases



Wish List



Nordy Club Rewards



Looks



Password & Personal Info



Shipping Addresses

## Password & Personal Info

Use your account to shop our brands.

**NORDSTROM** rack

## SIGN-IN INFO

Email

[REDACTED]@nordstrom.com

[Change email](#)

Password

[Change password](#)

Source: <https://www.nordstrom.com/my-account/sign-in-info>

## Checkout

[Edit Shopping Bag](#)

Pickup or delivery

☐ Free Pickup

Downtown Seattle  
Today, 9/9

☒ Delivery

[Change shipping speed](#)

Sat, 9/18-Fri, 9/24  
Free



## Review order

Your Items \$118.96

Shipping Free

Estimated tax \$12.19

**Estimated total \$131.15**

[Review Order](#)


Need help? Call 1.888.282.6060 or [chat with us](#)

## Nordstrom Cares

In the past 10 years of partnering with Shoes That Fit, we've provided over 200,000 pairs of athletic shoes to kids in our communities.

Source: <https://www.nordstrom.com/checkout>



	<p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.3] based on the authorization request, determining one or more stored value items to apply to the transaction, wherein each stored value item includes an associated value,</p> <p>wherein the one or more stored value items are selected from a plurality of stored value items stored in the storage area, and</p> <p>wherein the plurality of stored value items includes stored value items provided by a plurality of different third parties;</p>	<p>Nordstrom Inc. performs and induces others to perform the step of based on the authorization request, determining one or more stored value items to apply to the transaction, wherein each stored value item includes an associated value, wherein the one or more stored value items are selected from a plurality of stored value items stored in the storage area, and wherein the plurality of stored value items includes stored value items provided by a plurality of different third parties.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when a user who is a member of Nordstrom Nordy Club makes purchases in-store or on online shopping platforms (for example, by using the Nordstrom credit card and/or by providing the Nordy Club membership number), the user's account is credited with points ("stored value item"). The user earns 2 or 3 points for every 1\$ spent when payment is done using Nordstrom credit card and 1 point for every 1\$ when payment is completed by any other means. The user earns \$20 in Nordstrom Notes ("associated value") for every 2000 points and \$10 for every 1000 points. The Notes are automatically credited to the user's account.</p> <p>Further, when the user makes a payment in-store or on online shopping platforms, the user is allowed to select Nordstrom Notes to make the purchase. Nordstrom's servers store the information regarding the user's account and the associated points and Nordstrom Notes.</p> <p>Further, the points that the user redeems as Nordstrom Notes have been provided by a third-party (such as stores where the Nordstrom Visa card is accepted) such that when the user makes a payment at a third-party store (using the Nordstrom Visa card), the store informs Nordstrom that the purchase was complete and then Nordstrom credits the points to the user's account. Hence, upon successful completion of a purchase request at a third-party store, the points are credited to the user's account.</p> <div data-bbox="485 1556 597 1577">The Nordy Club</div> <div data-bbox="513 1650 737 1755"> <p>Rewards look good on you.</p> <p>Rewards for shopping. Exclusive access. Curated benefits. The best of Nordstrom—tailored just for you.</p> </div> <div data-bbox="794 1577 989 1778">  </div> <div data-bbox="1040 1654 1148 1728"> <p>Become a member. It's easy—and free!</p> <p>Join Now</p> </div> <div data-bbox="1166 1654 1289 1740"> <p>Become a Nordstrom credit cardmember. And unlock even more.</p> <p>Apply Now</p> </div> <p>Source: <a href="https://www.nordstrom.com/browse/nordy-club">https://www.nordstrom.com/browse/nordy-club</a></p>



**What is The Nordy Club?**

The Nordy Club is the Nordstrom rewards program, giving you rewards, fashion access, exclusive services and amazing experiences. Nordy Club members also earn points that add up to Nordstrom Notes that can be redeemed toward purchases of qualifying items in stores or online at Nordstrom, Nordstrom Rack, Nordstrom Local and Nordstrom Trunk Club.

Source: <https://www.nordstrom.com/browse/nordy-club/faq?breadcrumb=Home%2FThe%20Nordy%20Club%2FFAQ>

**How It Works****Shop & Get Rewarded**

Earn points toward Nordstrom Notes to spend with us.

**Enjoy Exclusive Perks**

Like members-only access to sales, offers and events.

**Treat Yourself**

Spend your Notes on anything you want—you deserve it!

Source: <https://www.nordstrom.com/browse/nordy-club>

**Earn Points**

Just provide your mobile number at Checkout or pay with your Nordstrom card when shopping in stores or online at Nordstrom, Nordstrom Rack and Nordstrom Trunk Club. Earn on almost everything before taxes, shipping and fees.



**1 point per \$1**  
any way you pay.



**2 points per \$1**  
with a Nordstrom credit or debit card.



**3 points per \$1**  
with a Nordstrom credit card.

**Amassador & Icon Status Exclusive**

**Want to earn even more?**

**Shop our bonus points events.**  
Look for them throughout the year!



**Use a Personal Double Points Day.**  
Reach Influencer status to unlock this benefit.

**Get Rewards**

Starting June 1, we'll automatically add new Notes to your rewards account in these amounts:



**1,000**  
Points



**\$10**  
Nordstrom Note

**Members & Influencer Status**



**2,000**  
Points



**\$20**  
Nordstrom Note

**Amassador & Icon Status**

Spend your Note on anything you'd like at Nordstrom, Nordstrom Rack or Nordstrom Trunk Club.



**Online**  
Select your Note at Checkout.



**In stores**  
Have your salesperson look it up.

Source: <https://www.nordstrom.com/browse/nordy-club>

**REWARDS: POINTS****How can I start earning points?**

Start shopping and just tell us that you're a Nordy Club member each time you make a purchase or use your Nordstrom card at Checkout. For more details on how to self-identify as a Nordy Club member at our Nordstrom locations, click [here](#).

**What do you mean by qualifying items?**

Certain products and services do not qualify as spend that would entitle you to points or Bonus Nordstrom Notes. For example, you cannot earn points on purchases of alcoholic beverages, shipping, taxes, tips, online gift cards, stand-alone vending machines, charitable donations or certain brands. Other exclusions may apply from time to time during special promotions.

Source: <https://www.nordstrom.com/browse/nordy-club/faq?breadcrumb=Home%2FThe%20Nordy%20Club%2FFAQ>

#### If I have a Nordstrom card, do I earn more points?

Yes, you can get more base points per \$1 net spend on qualifying items at Nordstrom locations when you use your Nordstrom card to make your purchases.

Point Allocation per Dollar	Member	Influencer	Ambassador	Icon
Nordstrom Visa® Credit Card	N/A	2 points Nordstrom Locations 1 point everywhere else Visa is accepted	3 points Nordstrom Locations 1 point everywhere else Visa is accepted	3 points Nordstrom Locations 1 point everywhere else Visa is accepted
Nordstrom Retail Credit Card	N/A	2 points Nordstrom Locations	3 points Nordstrom Locations	3 points Nordstrom Locations
Nordstrom Debit Card	N/A	2 points Nordstrom Locations	2 points Nordstrom Locations	2 points Nordstrom Locations
Non-Cardmember	1 point Nordstrom Locations	1 point Nordstrom Locations	1 point Nordstrom Locations	N/A

Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-points>

#### What is a Nordstrom Note?

A Nordstrom Note is generally awarded upon reaching certain point accumulation thresholds or by meeting certain other qualification requirements during special promotions. Nordstrom Notes can be redeemed toward the purchase of merchandise in stores or online at Nordstrom, Nordstrom Rack, Nordstrom Local and Nordstrom Trunk Club.

#### What is the difference between a standard Nordstrom Note and a Bonus Nordstrom Note?

**Standard Notes:** Upon reaching certain point accumulation thresholds, you will be eligible for standard Nordstrom Notes. For example, members with Member and Influencer status will be issued a \$10 Nordstrom Note for every 1,000 points earned and members with Ambassador and Icon status will be issued a \$20 Nordstrom Note for every 2,000 points earned. If you want to take advantage of your rewards sooner, you can use the Nordstrom mobile iOS app to redeem Nordstrom Notes in smaller denominations. For example, you can convert 500 points into a \$5 Nordstrom Note, 1,000 points into a \$10 Nordstrom Note or 1,500 points into a \$15 Nordstrom Note.

**Bonus Nordstrom Notes:** From time to time, we will offer the opportunity to earn Bonus Nordstrom Notes. For example, in the past we have offered Spend and Get events where customers could qualify for a Bonus Nordstrom Note if they spent a certain amount in qualifying purchases during a specific period of time, subject to specific qualification requirements, exclusions and restrictions, as identified with the offer. These promotional opportunities are not predetermined and are developed at the sole discretion of Nordstrom.

Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes>

#### What additional benefits do I have with a Nordstrom credit card?

Upon approval of a Nordstrom credit card, you will be automatically enrolled into The Nordy Club at the Influencer level. This means you will receive all the Nordy Club cardmember rewards and benefits—in addition to Nordy Club member rewards and benefits—without having to apply for a separate Nordy Club membership. More member and cardmember benefits and rewards you will unlock as you advance through our Nordy Club tiers.

#### Does the Nordstrom cardmember status replace Nordy Club member status?

No. A Nordstrom cardmember is a special category of The Nordy Club member.

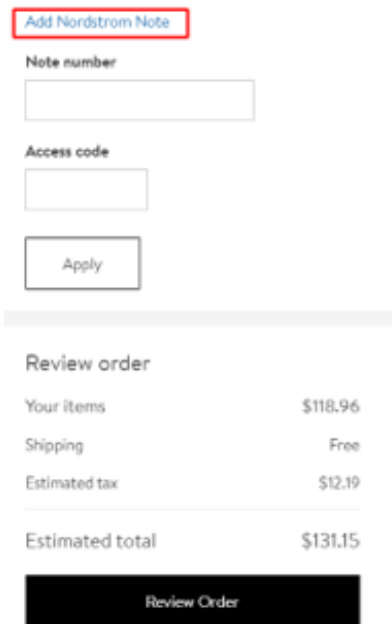
Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-nordstrom-credit-card>

#### What is the difference between a Nordstrom retail credit card and a Nordstrom Visa credit card and how does it affect my rewards and benefits?

**Nordstrom Retail Credit Card:** A Nordstrom retail credit card can be used to make purchases only in stores or online at Nordstrom, Nordstrom Rack and Nordstrom Local in the U.S. or online at Trunkclub.com. If you are a U.S. resident, once approved, Influencers will earn 2 points on every \$1 net spend on qualifying items and Ambassadors and Icons will earn 3 points on every \$1 net spend on qualifying items at these locations when using your Nordstrom card. **NOTE:** A Nordstrom retail credit card is not accepted in stores in Canada or online at Nordstrom.ca.

**Nordstrom U.S. Visa Credit Card:** A Nordstrom U.S. Visa credit card can be used to make purchases anywhere Visa is accepted in the world. Once approved, Influencers will earn 2 points on every \$1 net spend on qualifying items and Ambassadors and Icons will earn 3 points on every \$1 net spend on qualifying items in stores or online at Nordstrom, Nordstrom Rack and Nordstrom Local in the U.S. or online at Trunkclub.com when using your Nordstrom card. Nordstrom Visa cardmembers will also earn 1 point on every \$1 net spend on purchases anywhere else Visa is accepted when using your Nordstrom Visa card.

**IMPORTANT NOTE:** Only U.S. residents with a U.S. Social Security Number can apply for the Nordstrom U.S. Visa credit card. The Nordstrom Canada Visa credit card for Canadian residents is a different program with different benefits. Please click [here](#) to learn more about the Nordstrom Canada Visa card.

	<p>Source: <a href="https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-nordstrom-credit-card">https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-nordstrom-credit-card</a></p>  <p>Source: <a href="https://www.nordstrom.com/checkout">https://www.nordstrom.com/checkout</a></p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.4] transmitting a transaction indication message to a mobile device associated with the purchaser identifier, wherein the transaction indication message includes information about the determined one or more stored value items;</p>	<p>Nordstrom Inc. performs and induces others to perform the step of transmitting a transaction indication message to a mobile device associated with the purchaser identifier, wherein the transaction indication message includes information about the determined one or more stored value items.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when a user tries to make a purchase and/or performs a checkout in-store or on online shopping platforms (for example, by using the Nordstrom credit card and/or by providing the Nordy Club membership number), Nordstrom identifies the user (using the membership number) and provides information regarding the Nordstrom Notes (including but not limited to the value of the Notes) ("transaction indication message") issued to the user.</p>

### Earn Points

Just provide your mobile number at Checkout or pay with your Nordstrom card when shopping in stores or online at Nordstrom, Nordstrom Rack and Nordstrom Trunk Club. Earn on almost everything before taxes, shipping and fees.

1

**1 point per \$1**  
any way you pay.

2

**2 points per \$1**  
with a Nordstrom credit or debit card.

3

**3 points per \$1**  
with a Nordstrom credit card.

**Ambassador & Icon Status Exclusive**

Want to earn even more?

**Shop our bonus points events.**  
Look for them throughout the year!

**Use a Personal Double Points Day.**  
Reach Influencer status to unlock this benefit.

### Get Rewards

Starting June 1, we'll automatically add new Notes to your rewards account in these amounts:

1,000 Points

=

\$10 Nordstrom Note

**Members & Influencer Status**

2,000 Points

=

\$20 Nordstrom Note

**Ambassador & Icon Status**

Spend your Note on anything you'd like at Nordstrom, Nordstrom Rack or Nordstrom Trunk Club.

Online

Select your Note at Checkout.

In stores

Have your salesperson look it up.

Source: <https://www.nordstrom.com/browse/nordy-club>

## REWARDS: POINTS

How can I start earning points?

Start shopping and just tell us that you're a Nordy Club member each time you make a purchase or use your Nordstrom card at Checkout. For more details on how to self-identify as a Nordy Club member at our Nordstrom locations, click [here](#).

What do you mean by qualifying items?

Certain products and services do not qualify as spend that would entitle you to points or Bonus Nordstrom Notes. For example, you cannot earn points on purchases of alcoholic beverages, shipping, taxes, tips, online gift cards, stand-alone vending machines, charitable donations or certain brands. Other exclusions may apply from time to time during special promotions.

Source: <https://www.nordstrom.com/browse/nordy-club/faq?breadcrumb=Home%2FThe%20Nordy%20Club%2FFAQ>

What is a Nordstrom Note?

A Nordstrom Note is generally awarded upon reaching certain point accumulation thresholds or by meeting certain other qualification requirements during special promotions. Nordstrom Notes can be redeemed toward the purchase of merchandise in stores or online at Nordstrom, Nordstrom Rack, Nordstrom Local and Nordstrom Trunk Club.

What is the difference between a standard Nordstrom Note and a Bonus Nordstrom Note?

**Standard Notes:** Upon reaching certain point accumulation thresholds, you will be eligible for standard Nordstrom Notes. For example, members with Member and Influencer status will be issued a \$10 Nordstrom Note for every 1,000 points earned and members with Ambassador and Icon status will be issued a \$20 Nordstrom Note for every 2,000 points earned. If you want to take advantage of your rewards sooner, you can use the Nordstrom mobile iOS app to redeem Nordstrom Notes in smaller denominations. For example, you can convert 500 points into a \$5 Nordstrom Note, 1,000 points into a \$10 Nordstrom Note or 1,500 points into a \$15 Nordstrom Note.

**Bonus Nordstrom Notes:** From time to time, we will offer the opportunity to earn Bonus Nordstrom Notes. For example, in the past we have offered Spend and Get events where customers could qualify for a Bonus Nordstrom Note if they spent a certain amount in qualifying purchases during a specific period of time, subject to specific qualification requirements, exclusions and restrictions, as identified with the offer. These promotional opportunities are not predetermined and are developed at the sole discretion of Nordstrom.



Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes>

How do I use my Nordstrom Notes?

When you redeem a Nordstrom Note to make a purchase, the value of the Nordstrom Note will be applied against the total purchase price, including applicable taxes and fees.

**In stores at Nordstrom, Nordstrom Rack and Nordstrom Local:** If you have digital Nordstrom Notes in your Nordy Club account, simply self-identify as a Nordy Club member at Checkout. Your salesperson will be able to look up and apply your Nordstrom Notes to the purchase. If you have a physical paper Nordstrom Note, hand the Nordstrom Note to your salesperson.

**Online at Nordstrom and Nordstrom Trunk Club:** If you have linked your Nordy Club account to your Nordstrom.com account and/or your Trunkclub.com account, you will see your issued Nordstrom Notes at Checkout as long as you are signed in to Nordstrom.com or Trunkclub.com. Simply acknowledge that you want to apply your Nordstrom Note to your purchase. If you have a paper Nordstrom Note, you will need to enter your Nordstrom Note number and access code at Checkout.

	<p>Source: <a href="https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes">https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes</a></p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>								
<p>[1.5] receiving an indication from a user of the mobile device that at least one stored value item should be applied against the transaction;</p>	<p>Nordstrom Inc. performs and induces others to perform the step of receiving an indication from a user of the mobile device that at least one stored value item should be applied against the transaction.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, during checkout, Nordstrom allows a user to select a Nordstrom Note from a plurality of issued Notes. Upon selection of a Note, the value of the Note is applied against the total purchase amount.</p> <div data-bbox="492 852 1338 1115" style="border: 1px solid red; padding: 5px;"> <p><b>How do I use my Nordstrom Notes?</b></p> <p>When you redeem a Nordstrom Note to make a purchase, the value of the Nordstrom Note will be applied against the total purchase price, including applicable taxes and fees.</p> <p><b>In stores at Nordstrom, Nordstrom Rack and Nordstrom Local:</b> If you have digital Nordstrom Notes in your Nordy Club account, simply self-identify as a Nordy Club member at Checkout. Your salesperson will be able to look up and apply your Nordstrom Notes to the purchase. If you have a physical paper Nordstrom Note, hand the Nordstrom Note to your salesperson.</p> <p><b>Online at Nordstrom and Nordstrom Trunk Club:</b> If you have linked your Nordy Club account to your Nordstrom.com account and/or your Trunkclub.com account, you will see your issued Nordstrom Notes at Checkout as long as you are signed in to Nordstrom.com or Trunkclub.com. Simply acknowledge that you want to apply your Nordstrom Note to your purchase. If you have a paper Nordstrom Note, you will need to enter your Nordstrom Note number and access code at Checkout.</p> <p><b>Online at Nordstrom Rack:</b> If you are checking out on Nordstromrack.com, you will need to enter your Nordstrom Note number and access code at Checkout. You can find the Nordstrom Note number and access code on the face of the paper Nordstrom Note, online on your Nordy Club account or by calling 1.888.282.6060.</p> </div> <p>Source: <a href="https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes">https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes</a></p> <div data-bbox="492 1241 915 1759" style="border: 1px solid #ccc; padding: 10px;"> <p>Gift Card or Promo Card </p> <p>Promotions </p> <p><b>Add Nordstrom Note</b></p> <hr/> <p><b>Review order</b></p> <table data-bbox="500 1486 899 1675"> <tbody> <tr> <td>Your items</td> <td>\$118.96</td> </tr> <tr> <td>Shipping</td> <td>Free</td> </tr> <tr> <td>Estimated tax</td> <td>\$12.19</td> </tr> <tr> <td><b>Estimated total</b></td> <td><b>\$131.15</b></td> </tr> </tbody> </table> <div data-bbox="505 1696 894 1759" style="background-color: black; color: white; text-align: center; padding: 5px; margin-top: 10px;"> Review Order </div> </div> <p>Source: <a href="https://www.nordstrom.com/checkout">https://www.nordstrom.com/checkout</a></p>	Your items	\$118.96	Shipping	Free	Estimated tax	\$12.19	<b>Estimated total</b>	<b>\$131.15</b>
Your items	\$118.96								
Shipping	Free								
Estimated tax	\$12.19								
<b>Estimated total</b>	<b>\$131.15</b>								

<p>[1.6] applying the indicated at least one stored value item to pay a first portion of the transaction amount; and</p>	<p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p> <p>Nordstrom Inc. performs and induces others to perform the step of computing at the participating vendor web site a total price for the selected subset of the products and services in units of electronic tokens</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the value of the selected Nordstrom Note is applied against the total purchase amount such that the value of the Note is subtracted from the total purchase amount ("pay a first portion of the transaction amount").</p> <div data-bbox="483 678 1318 1014"> <p><b>How do I use my Nordstrom Notes?</b></p> <p>When you redeem a Nordstrom Note to make a purchase, the value of the Nordstrom Note will be applied against the total purchase price, including applicable taxes and fees.</p> <p><b>In stores at Nordstrom, Nordstrom Rack and Nordstrom Local:</b> If you have digital Nordstrom Notes in your Nordy Club account, simply self-identify as a Nordy Club member at Checkout. Your salesperson will be able to look up and apply your Nordstrom Notes to the purchase. If you have a physical paper Nordstrom Note, hand the Nordstrom Note to your salesperson.</p> <p><b>Online at Nordstrom and Nordstrom Trunk Club:</b> If you have linked your Nordy Club account to your Nordstrom.com account and/or your Trunkclub.com account, you will see your issued Nordstrom Notes at Checkout as long as you are signed in to Nordstrom.com or Trunkclub.com. Simply acknowledge that you want to apply your Nordstrom Note to your purchase. If you have a paper Nordstrom Note, you will need to enter your Nordstrom Note number and access code at Checkout.</p> <p><b>Online at Nordstrom Rack:</b> If you are checking out on Nordstromrack.com, you will need to enter your Nordstrom Note number and access code at Checkout. You can find the Nordstrom Note number and access code on the face of the paper Nordstrom Note, online on your Nordy Club account or by calling 1.888.282.6060.</p> <p><b>Source:</b> <a href="https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes">https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes</a></p> <div data-bbox="483 1060 906 1575"> <p>Gift Card or Promo Card ▾</p> <p>Promotions ▾</p> <p><b>Add Nordstrom Note</b></p> <hr/> <p><b>Review order</b></p> <table> <tr> <td>Your items</td> <td>\$118.96</td> </tr> <tr> <td>Shipping</td> <td>Free</td> </tr> <tr> <td>Estimated tax</td> <td>\$12.19</td> </tr> <tr> <td><b>Estimated total</b></td> <td><b>\$131.15</b></td> </tr> </table> <p><b>Review Order</b></p> </div> <p><b>Source:</b> <a href="https://www.nordstrom.com/checkout">https://www.nordstrom.com/checkout</a></p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p> </div>	Your items	\$118.96	Shipping	Free	Estimated tax	\$12.19	<b>Estimated total</b>	<b>\$131.15</b>
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Shipping	Free								
Estimated tax	\$12.19								
<b>Estimated total</b>	<b>\$131.15</b>								



[1.7] initiating a payment process to pay a remaining portion of the transaction amount by providing a modified transaction amount to the acquirer for submission to a payment association.

Nordstrom Inc. performs and induces others to perform the step of authorizing a purchase transaction at the participating vendor web site without requiring any third party authentication and a physical manifestation of the user account

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the remaining total purchase amount to be paid is displayed to the user. When the user checks out, a request for the modified transaction amount is sent to, for example, VISA ("payment association") for completion of the purchase.

**How do I use my Nordstrom Notes?**

When you redeem a Nordstrom Note to make a purchase, the value of the Nordstrom Note will be applied against the total purchase price, including applicable taxes and fees.

**In stores at Nordstrom, Nordstrom Rack and Nordstrom Local:** If you have digital Nordstrom Notes in your Nordy Club account, simply self-identify as a Nordy Club member at Checkout. Your salesperson will be able to look up and apply your Nordstrom Notes to the purchase. If you have a physical paper Nordstrom Note, hand the Nordstrom Note to your salesperson.

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**Online at Nordstrom Rack:** If you are checking out on Nordstromrack.com, you will need to enter your Nordstrom Note number and access code at Checkout. You can find the Nordstrom Note number and access code on the face of the paper Nordstrom Note, online on your Nordy Club account or by calling 1.888.282.6060.

Source: <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes>

**Payment**

☒  Credit Card

Card number\*

Expiration date\*

Security code\*

Billing address

☐ Same as shipping address

First name\*



Last name\*

Address\*

☐ 

Source: <https://www.nordstrom.com/checkout>



Gift Card or Promo Card  Promotions  <a href="#">Add Nordstrom Note</a>	
<div></div>	
Review order	
Your items	\$118.96
Shipping	Free
Estimated tax	\$12.19
<hr/>	
Estimated total	\$131.15
<div>Review Order</div>	
Source: <a href="https://www.nordstrom.com/checkout">https://www.nordstrom.com/checkout</a>  Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.	

## List of References

1. <https://www.nordstrom.com/>, last accessed on September 17, 2021
2. <https://www.nordstrom.com/browse/about/nordstrom-apps>, last accessed on September 17, 2021
3. <https://www.nordstrom.com/browse/nordy-club>, last accessed on September 17, 2021
4. <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-nordstrom-credit-card>, last accessed on September 17, 2021
5. <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-nordstrom-notes>, last accessed on September 17, 2021
6. <https://www.nordstrom.com/my-account/sign-in-info>, last accessed on September 17, 2021
7. <https://www.nordstrom.com/checkout>, last accessed on September 17, 2021
8. <https://www.nordstrom.com/browse/nordy-club/faq?breadcrumb=Home%2FThe%20Nordy%20Club%2FFAQ>, last accessed on September 17, 2021
9. <https://www.nordstrom.com/browse/nordy-club/faq#anchor-link-nordy-club-faq-rewards-points>, last accessed on September 17, 2021
10. <https://apps.apple.com/us/app/nordstrom/id474349412>, last accessed on September 17, 2021

These allegations of infringement are preliminary and are therefore subject to change.

10. Nordstrom has and continues to induce infringement. Nordstrom has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., payment products and services that facilitate purchases from a vendor using a bridge computer) such as to cause infringement of one or more of claims 1–18 of the ‘852 patent, literally or under the doctrine of equivalents. Moreover, Nordstrom has known or should have known of the ‘852 patent and the technology underlying it from at least the date of issuance of the patent.

11. Nordstrom has and continues to contributorily infringe. Nordstrom has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., payment products and services that facilitate purchases from a vendor using a bridge computer) and related services such as to cause infringement of one or more of claims 1–18 of the ‘852 patent, literally or under the doctrine of equivalents. Moreover, Nordstrom has known or should have known of the ‘852 patent and the technology underlying it from at least the date of issuance of the patent.

12. Nordstrom has caused and will continue to cause Authorization Wallet damage by direct and indirect infringement of (including inducing infringement of) the claims of the ‘852 patent.

#### **IV. JURY DEMAND**

Authorization Wallet hereby requests a trial by jury on issues so triable by right.

#### **V. PRAYER FOR RELIEF**

WHEREFORE, Authorization Wallet prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the ‘852 patent through Nordstrom payment links;

- b. award Authorization Wallet damages in an amount sufficient to compensate it for Defendant's infringement of the '852 patent in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- c. award Authorization Wallet an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award Authorization Wallet its attorneys' fees, expenses, and costs incurred in this action;
- e. declare Defendant's infringement to be willful and treble the damages, including attorneys' fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and
- g. award Authorization Wallet such other and further relief as this Court deems just and proper.

Respectfully submitted,

**Ramey & Schwaller, LLP**

A handwritten signature in blue ink, appearing to read 'WPR', with a large, loopy flourish underneath.

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